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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,580	11/09/1999	ALEXANDER G. MACINNIS	17426US01	8182
23446 7590 03/09/2010 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER				
NGUYEN, KEVIN M				
ART UNIT		PAPER NUMBER		
2629				
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03/09/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/437,580

**Applicant(s)**

MACINNIS ET AL.

**Examiner**

Kevin M. Nguyen

**Art Unit**

2629

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 51-62 and 71-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 55-62, 72, 73 and 75-86 is/are allowed.
- 6) ☒ Claim(s) 51-54, 71 and 74 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

***Response to Amendment***

Applicants' amendment and response filed on 1/26/2010 are acknowledged and entered.

Claims 51-62 and 71-74 are pending. Applicants have amended claim 59, and added new claims 75-86. Therefore, claims 51-62 and 71-86 are currently pending.

Claims 71-74 were previously presented. Claims 71-74 have not been provided with the proper status identifier: (Previously presented). Thus, claims 71-74 should be previously presented instead of new.

***Response to Arguments***

Applicant's arguments filed have been fully considered but they are not persuasive.

With respect to claim 51, applicant contends that Sukonick fails to disclose or suggest limitations "storing a plurality of pixels defining the entire window comprising graphics; wherein a portion of the window and the graphics are displayed and a portion of the window and the graphics are not displayed; receiving a window descriptor having a numerical value for indicating how many pixels are to be blanked out at an edge of the window; blanking out how many pixels are indicated by the numerical value from the plurality of pixels defining the entire window comprising the graphics."

Applicants' arguments with respect to claim 51, see remarks on pages 11-12, are not found to be persuasive.

Applicants allege that the control words are not pixels. The examiner respectfully disagrees. The examiner finds that Sukonick clearly discloses "a first control words of format

CW#2 which identifies pixel data,” column 16, lines 8-9. Sukonick further discloses “control words as well as the associated pixel data words are treated as entire word entities the input side of the memory 35,” col. 9, lines 60-62.

Applicants allege that only the portion of the control words... are utilized at the outbound side of the memory 35. The examiner respectfully disagrees. The examiner finds that column 9, lines 5-11 of Sukonick discloses “the inbound side o the memory 35 is controlled...to product a video screen display...”

Applicants allege that Sukonick does not disclose “a portion of the window and the graphics are displayed and a portion of the window and the graphics are not displayed.” The examiner respectfully disagrees. The examiner finds that column 7, lines 33-50; and Figure 9 of Sukonick disclose a portion of the window and the graphics are displayed and a portion of the window and the graphics are not displayed.

Applicants allege that Sukonick does not disclose “blanking out how many pixels are indicated by the numerical value from the plurality of pixels defining the entire window comprising the graphics.” The examiner respectfully disagrees. The examiner finds that column 11, lines 20-28 of Sukonick discloses blanking out how many pixels are indicated by the numerical value from the plurality of pixels defining the entire window comprising the graphics.

Therefore, the teaching of Sukonick does anticipate the device and method of the instant claims.

For these reasons, the rejections of claims 51-54, 71 and 74 are maintained.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 51-54, 71, and 74 are rejected under 35 U.S.C. 102(b) as being anticipated by Sukonick et al. (US 4,533,910).

As to claim 51, Sukonick discloses a method for horizontally scrolling a window, the method comprising (col. 15, lines 7-50 discloses a horizontal scroll on an application window provides the same type of panning, and movement): storing a plurality of pixels defining the entire window comprising graphics (col. 6, lines 22-34; figure 4), wherein a portion of the window and the graphics are displayed and a portion of the window and the graphics are not displayed, in a memory (col. 8, line 68 to col. 9, line 4); receiving a window descriptor having a numerical value for indicating how many pixels are to be blanked out at an edge of the window (col. 14, lines 51-54; figure 8); receiving an address of a start of the display window (addresses Av+821', figure 8); receiving a plurality of pixels defining the entire window comprising the graphics (col. 6, lines 22-34; figure 4); blanking out how many pixels are indicated by the numerical value from the plurality of pixels defining the entire window comprising the graphics (col. 6, lines 22-34; figure 4), continuing storing the plurality of pixels defining the entire window comprising the graphics (CW# 3; figure 4, and col. 16, line 66 to col. 17, line 3; figure 9); and displaying the window and graphics such that the blanked out pixels of the window and graphics are not displayed and a first non-blanked pixel of the window and graphics is displayed (col. 16, lines 15-32; figure 9).

As to claim 52, Sukonick discloses the method of horizontally scrolling the window of claim 51, wherein each pixel is comprised of a first number of one or more bits, wherein the graphics comprises a second number of one or more bits, and wherein the first number is not greater than the second number (col. 14, lines 49-54; figure 8).

As to claim 53, Sukonick discloses the method of horizontally scrolling the display window of claim 52, wherein the first number of bits is selected from the group consisting of 1 bit, 2 bits, 4 bits, 8 bits, 16 bits, 24 bits, and 32 bits (col. 14, line 43).

As to claim 54, Sukonick discloses the method of horizontally scrolling the display window of claim 53, wherein the second number of bits is a multiple of 32 bits (col. 14, line 45).

As to claim 71, Sukonick discloses the method of claim 51, wherein said edge of the window is a horizontal edge (col. 7, lines 51-55).

As to claim 74, Sukonick discloses the limitation of claim 74 is the same as those of claim 51 and therefore the claim will be rejected using the same rationale.

***Allowable Subject Matter***

Claims 55-62, 72, 73 and 75-86 are allowed.

The following is an examiner's statement of reasons for allowance: with respect to independent claims 55 and 75, the prior art of record does not fairly teach the claimed "receiving a second numerical value for indicating how many pixels are to be blanked out; receiving a second address of a second start of the window, the second address pointing to the right/left of the first start address by one or more graphic memory words" along with the other claimed limitations.

Claims 51-54, 71 and 74 would be allowable if independent claims 51 and 74 rewrite or amend to include the limitation “receiving a second numerical value for indicating how many pixels are to be blanked out; receiving a second address of a second start of the window, the second address pointing to the right/left of the first start address by one or more graphic memory words” to be consistent with the allowed subject matter of claim 55.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Nguyen whose telephone number is (571)272-7697. The examiner can normally be reached on Monday-Thursday from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on (571)272-76877. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin M Nguyen/  
Primary Examiner, Art Unit 2629

/KMN/  
March 8, 2010